

DANIEL G. BOGDEN
 United States Attorney
 Nevada Bar No. 2137
 MICHAEL A. HUMPHREYS
 Assistant United States Attorney
 U.S. Attorney's Office
 333 Las Vegas Boulevard South, Suite 5000
 Las Vegas, Nevada 89101
 Telephone: 702-388-6336
 Facsimile: 702-388-6787
 Email: *michael.humphreys@usdoj.gov*
 Attorneys for the United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	3:13-CV-298-LRH-(WGC)
)	
\$14,860.00 IN UNITED STATES)	
CURRENCY,)	
)	
Defendant.)	

DEFAULT JUDGMENT OF FORFEITURE

Pursuant to Fed. R. Civ. P. 55 and Fed. R. Civ. P. Supp. Rule G(4) and (5), the United States respectfully moves this Court for entry of a default judgment of forfeiture based on the following:

The United States filed a verified Complaint for Forfeiture in Rem (ECF No. 1) on June 5, 2013. The Complaint (ECF No. 1) alleges the defendant property:

a. was furnished or was intended to be furnished in exchange for controlled substances in violation of Title II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6);

...

...

1 b. is proceeds traceable to exchanges of controlled substances in violation of
2 Title II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is
3 subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6);
4 and

5 c. was used or was intended to be used to facilitate violations of Title II of the
6 Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is subject to forfeiture
7 to the United States pursuant to 21 U.S.C. § 881(a)(6).

8 Public notice of the forfeiture action and arrest was given to all persons and entities by
9 publication on the official government website www.forfeiture.gov from June 12, 2013, through July
10 11, 2013. Notice of Filing Proof of Publication, ECF No. 5.

11 On June 7, 2013, the Court entered an Order for Summons and Warrant of Arrest in Rem for
12 the Property and Notice (ECF No. 3) and issued the Summons and Warrant of Arrest in Rem for the
13 Property (ECF No. 4).

14 Pursuant to the Order (ECF No. 3), the Complaint (ECF No. 1), the Order (ECF No. 3), the
15 Summons and Warrant (ECF No. 4), and the Notice of Complaint for Forfeiture (ECF No. 6, p. 3-4,
16 20-21, 56-57, 74-75; ECF No. 6-1, p. 3-4, 39-40, 57-58) were served on the defendant property and
17 all persons claiming an interest in the defendant property. All persons interested in the defendant
18 property were required to file their claims with the Clerk of the Court no later than 35 days after the
19 notice of this action was sent by mail, followed by the filing of an answer to the Complaint within 21
20 days after the filing of their respective claims. Complaint, ECF No. 1; Order for Summons and
21 Warrant of Arrest in Rem for the Property and Notice, ECF No. 3; Summons and Warrant Issued by
22 the Clerk, ECF No. 4; Notice of Filing Service of Process, ECF Nos. 6 and 6-1.

23 On June 14, 2013, the United States Marshals Service served the Complaint, the Order, the
24 Summons and Warrant of Arrest in Rem for the Property, and the Notice by executing them on the
25 defendant property. Notice of Filing Service of Process, ECF No. 6, p. 2-17.

26 ...

1 On June 14, 2013, the United States Marshals Service served the Complaint, the Order, the
2 Summons and Warrant of Arrest in Rem for the Property, and the Notice on Donald Perry Meredith,
3 by regular mail. Notice of Filing Service of Process, ECF No. 6, p. 18-34.

4 On June 14, 2013, the United States Marshals Service served the Complaint, the Order, the
5 Summons and Warrant of Arrest in Rem for the Property, and the Notice on Donald Perry Meredith,
6 by and through his counsel The Ward Firm, by regular mail and certified mail return receipt
7 requested. Notice of Filing Service of Process, ECF No. 6, p. 54-88.

8 On June 14, 2013 the United States Marshals Service served the Complaint, the Order, the
9 Summons and Warrant of Arrest in Rem for the Property, and the Notice on Angie Meredith by
10 regular mail. Notice of Filing Service of Process, ECF No. 6-1, p. 1-17.

11 On June 14, 2013, the United States Marshals Service served the Complaint, the Order, the
12 Summons and Warrant of Arrest in Rem for the Property, and the Notice on Alan Woltman by
13 regular mail and certified mail return receipt requested. Notice of Filing Service of Process, ECF No.
14 6-1, p. 37-71.

15 No person or entity has filed a claim, answer, or responsive pleading within the time
16 permitted by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

17 Donald Perry Meredith is not in the military service within the purview of the
18 Servicemembers Civil Relief Act.

19 Alan Woltman is not in the military service within the purview of the Servicemembers Civil
20 Relief Act.

21 The government does not know if Angie Meredith is in the military service within the
22 purview of the Servicemembers Civil Relief Act. Despite investigative efforts by the Drug
23 Enforcement Administration, the government could not find a Social Security number or date of
24 birth for Angie Meredith. A Social Security number or date of birth is necessary to determine
25 whether or not someone is in the military service within the purview of the Servicemembers Civil
26 Relief Act.

1 On September 11, 2013, the United States filed a Request for Entry of Default against the
2 defendant property and all persons or entities who claim an interest in the defendant property in the
3 above-entitled action. Request for Entry of Default, ECF No. 7.

4 On September 12, 2013, the Clerk of the Court entered a Default against the defendant
5 property and all persons or entities who claim an interest in the defendant property in the above-
6 entitled action . Default, ECF No. 8.

7 The allegations of the Complaint are sustained by the evidence and are adopted as findings of fact.
8 The Court concludes as a matter of law that the United States is entitled to the relief requested in the
9 Complaint.

10 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
11 United State's motion for default judgment (Doc. #9) is GRANTED. The clerk of court shall enter
12 Default Judgment of Forfeiture against: (1) the \$14,860.00 in United States Currency; (2) Donald
13 Perry Meredith; (3) Angie Meredith; (4) Alan Woltman; and (5) all persons or entities who claim an
14 interest in the defendant property in the above-entitled action.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
16 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
17 shall exist in any other party.

18 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
19 cause of the seizure or arrest of the defendant property.

20 IT IS SO ORDERED.

21 DATED this 18th day of October, 2013.

22
23
24 
25 UNITED STATES DISTRICT JUDGE
26
27
28